

REMARKS

Claims 1-10 and 12-19 are pending.

Claim 11 has been cancelled.

Claims 20 and 21 have been added.

In the Office Action mailed July 9, 2009, claims 1-11 were rejected under 35 U.S.C. § 103(a) as unpatentable over Buteau (U.S. Patent No. 6,442,557) in view of Ruffin (U.S. Patent No. 6,249,769) in view of Baudoin (U.S. Patent No. 7,290,275) and further in view of McKenna (U.S. Patent Publication No. 2004/0010772); and claims 12-19 were rejected under 35 U.S.C. § 103(a) as unpatentable over Buteau in view of Baudoin and further in view of McKenna.

Each of independent claims 1 and 12 has been amended to further define “current security architecture” and “future security architecture.” Specifically, claim 1 now recites that each of the current security architecture and future security architecture includes a corresponding set of a security objective and a mix of security measures. Support for this amendment can be found at least in the following passage of the specification: page 12, lines 1-10.

It is respectfully submitted that claim 1 is non-obvious over the asserted combination of Buteau, Ruffin, Baudoin, and McKenna.

To make a determination under 35 U.S.C. § 103, several basic factual inquiries must be performed, including determining the scope and content of the prior art, and ascertaining the differences between the prior art and the claims at issue. *Graham v. John Deere Co.*, 383 U.S. 1, 17, 148 U.S.P.Q. 459 (1965). Moreover, as held by the U.S. Supreme Court, it is important to identify a reason that would have prompted a person of ordinary skill in the art to combine reference teachings in the manner that the claimed invention does. *KSR International Co. v. Teleflex, Inc.*, 127 S. Ct. 1727, 1741, 82 U.S.P.Q.2d 1385 (2007).

The Office Action conceded that Buteau (the primary reference relied upon) does not disclose the following elements of claim 1:

- determining, by the computer, information technology requirements for the business in response to the existing information technology and the relationship among the manageable entities; and

- generating, by the computer, a plan for implementation and deployment of future information technology among the manageable entities based on the determined information technology requirements for display by the computer within the graphical representation of the overall architecture, the plan including a future security architecture based on the future information technology and a transition between a current security architecture and the future security architecture, wherein each of the current security architecture and future security architecture includes a corresponding set of a security objective and a mix of security measures. 07/09/2009 Office Action at 6.

Instead, the Office Action relied upon the following references as purportedly disclosing the claimed features missing from Buteau: Ruffin, Baudoin, and McKenna. *Id.* at 6-7.

Buteau describes a database program that is able to allow users to input and search for how architecture changes to the enterprise affects an enterprise architecture. Buteau, 2:63-65. However, Buteau provides absolutely no hint whatsoever of generating a plan for implementation and deployment of future information technology among manageable entities of a business based on determined information technology requirements, where the plan includes a future security architecture based on the future information technology and a transition between a current security architecture and a future security architecture, where each of the current security architecture and future security architecture includes a corresponding set of a security objective and a mix of security measures.

Although Ruffin describes generating a formal solution proposal based on evaluating an information technology environment and requirements of a business entity (Ruffin, Abstract), Ruffin does not provide any hint that the formal solution proposal would include a plan that includes a future security architecture based on the future information technology and a transition between a current security architecture and the future security architecture, as defined by claim 1. Although Ruffin notes that its techniques can be applied to plant security (*id.*, 3:16), there is no hint that the techniques of Ruffin would produce a plan as defined by claim 1.

Recognizing the deficiencies of Buteau and Ruffin, the Office Action cited the teachings of Baudoin and McKenna. Specifically, the Office Action cited the Abstract and Fig. 4 of Baudoin, and the following passages of McKenna: ¶¶ [0082]-[0084]. The

Abstract of Baudoin notes that an information security policy and practice of an organization are assessed, which includes determining a risk associated with the information security policy and practice. The Abstract of Baudoin also notes that a rating is generated using a security maturity assessment matrix. The Abstract of Baudoin also notes that a list of corrective actions is generated using the rating. The list of corrective actions is executed to create a new security information policy and practice.

Determining a risk and rating based on a security maturity assessment matrix, as taught by Baudoin, is different from generating a plan for implementation and deployment of future information technology among the manageable entities based on the determined information technology requirements, where the plan includes a future security architecture based on the future information technology and a transition between a current security architecture and the future security architecture, where each of the current security architecture and future security architecture includes a corresponding set of a security objective and a mix of security measures.

Paragraphs [0082]-[0084] of McKenna describe establishing an organization plan for managing resources for a project. Note that the project discussed by McKenna is a project for developing and implementing new computer software applications through a series of distinct stages. McKenna, Abstract. In McKenna, a user process narrative sign-off, an application set of configurations sign-off, a design securities profiles sign-off, and a design acceptance certificate are each provided to ensure that adequate and accurate information regarding the design of the software being developed are provided prior to review. These teachings of McKenna have nothing to do with generating a plan that includes a future security architecture based on the future information technology and a transition between a current security architecture and the future security architecture, where each of the current security architecture and future security architecture includes a corresponding set of a security objective and a mix of security measures.

Paragraph [0084] of McKenna states that various associated sign-offs are provided to support the development of the enterprise architecture, including a design of a security architecture sign-off a design application functional architecture sign-off, a developed system capacity plan sign-off, and assess performance risks sign-off, and a design system management sign-off, which are provided to ensure that proper

development and documentation of each of the items has been performed prior to approval. Again, except for the common use of the term “security,” McKenna in ¶ [0084] provides absolutely no hint of the plan that includes a future security architecture based on the future information technology and a transition between a current security architecture and the future security architecture, as recited in claim 1.

In view of the foregoing, it is respectfully submitted that even if the references could be hypothetically combined, Buteau, Ruffin, Baudoin, and McKenna would not disclose or hint at all elements of claim 1. Moreover, in view of the fact that none of the references provide any hint of the subject matter in the last clause of claim 1 (the “generate” clause), it is respectfully submitted that a person of ordinary skill in the art would not have been prompted to combine the teachings of the references to achieve the claimed subject matter.

Therefore, the obviousness rejection of claim 1 is erroneous.

Independent claim 12 was rejected as purportedly obvious over Buteau, Baudoin, and McKenna. For similar reasons as stated above, it is clear that the hypothetical combination of Buteau, Baudoin, and Ruffin would fail to disclose or hint at all elements of claim 12, including the “generate a plan” element of claim 12. Moreover, a person of ordinary skill in the art clearly would not have been prompted to combine the teachings of Buteau, Baudoin, and McKenna to achieve the subject matter of claim 12.

Dependent claims, including newly added dependent claims 20 and 21, are allowable for at least the same reasons as corresponding independent claims.

In view of the foregoing, allowance of all claims is respectfully requested.

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The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 08-2025 (200901639-1).

Respectfully submitted,

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